

REMARKS

Prior to entry of this amendment, claims 1-10 are currently pending in the subject application. By the instant amendment, claim 6 is amended to more particularly recite the subject matter of the present invention. Claims 1 and 7 are independent.

The specification has been amended to correct for a typographical error.

Applicants appreciate the Examiner's acknowledgement of applicants' claim for foreign priority and receipt of a certified copy of the priority document.

Applicants further appreciate the Examiner's acceptance of the drawings filed on January 11, 2001.

Applicants also appreciate the Examiner's consideration of the Information Disclosure Statement filed July 8, 2003. However, indication of consideration of the reference cited on the second page of this considered IDS is respectfully requested in the next Office action.

Claims 1-10 are presented to the Examiner for further prosecution on the merits.

A. Introduction

In the outstanding Office action, the Examiner objected to the drawings as not showing a feature recited in claim 6 and rejected claims 1-10 under the first paragraph of 35 U.S.C. § 112 as not being enabled.

B. Asserted Objection to the Drawings

The Examiner objected to the drawings as not showing the "selection means for selecting a secondary synchronization code" as set forth in claim 6. Claim 6 has been amended to replace "selection means" with --detection means--, which is clearly shown by the code group identification and frame synchronization unit 323 of FIG. 3, and as described

on page 7, lines 19-30 of the original specification. Therefore, it is respectfully requested that this objection be withdrawn.

C. Asserted Rejection Under 35 U.S.C. § 112

In the outstanding Office action, the Examiner rejected claims 1-10 under the first paragraph of 35 U.S.C. § 112 as not being enabled. The Examiner stated that:

the disclosure does not show as those elements receiving
the **claimed data channel to identify the scrambling code**
unique to each cell.

Office action of July 19, 2004, page 4, emphasis in the original.

It is respectfully submitted that the ADC 240 in FIG. 2 provides the data to the correlation unit 273, as set forth, for example, on page 6, lines 23-25, of the original specification. It is noted that the data channel is part of the received signal, shown, for example, in FIG. 1(c). As shown therein, since the synchronous channel (SCH) is multiplexed with the data channel (p-CCPCH), both are clearly part of the received signal in FIG. 2. Therefore, it is respectfully submitted that claims 1 and 7 are enabled by the specification, and it is respectfully requested that this rejection be withdrawn.

D. Conclusion

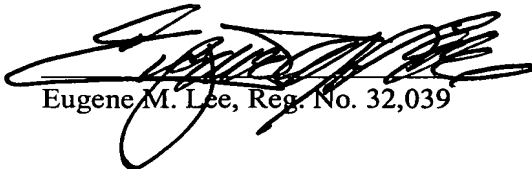
The documents cited by the Examiner were not relied on to reject the claims. Therefore, no comments concerning these documents are considered necessary at this time.

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

Respectfully submitted,

Date: September 24, 2004



Eugene M. Lee, Reg. No. 32,039

LEE & STERBA, P.C.
1101 WILSON BOULEVARD, SUITE 2000
ARLINGTON, VA 22209
703.525.0978 TEL
703.525.4265 FAX

PETITION and
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying papers may also be charged to Deposit Account No. 50-1645.